

## **Appropriation: Range Improvements**

### **APPROPRIATION LANGUAGE SHEET**

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses (*Department of the Interior and Related Agencies Appropriations Act, 2004.*).

## APPROPRIATION LANGUAGE CITATIONS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the *Federal Land Policy and Management Act of 1976* (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: Provided, that not to exceed \$600,000 shall be available for administrative expenses.

43 U.S.C. 1751  
43 U.S.C. 1901  
7 U.S.C. 1010  
E.O. 10046; 10175; 10234; 10322; 10787; 10890  
30 U.S.C. 355  
7 U.S.C. 2814  
P.L. 106-291

**Section 401 of FLPMA (43 U.S.C. 1751), as amended by the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1905)**, provides that 50 percent of all moneys received by the U.S. as fees for grazing domestic livestock on public land under the *Taylor Grazing Act* (43 U.S.C. 315) and the *Act of August 28, 1937* (43 U.S.C. 1181d) shall be credited to a separate account in the Treasury and made available for the purpose of on-the-ground range rehabilitation, protection, and improvements, including, but not limited to, seeding and reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement.

**7 U.S.C. 1010 (the Bankhead Jones Farm Tenant Act of 1937)**, provides that the Secretary of Agriculture is authorized and directed to develop a program of land conservation and utilization in order to correct maladjustments in land use, and thus assist in controlling soil erosion, conducting reforestation, preserving natural resources, protecting fish and wildlife, developing and protecting recreational facilities, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public land, health, safety, and welfare; but not to build industrial parks or establish private industrial or commercial enterprises.

**Executive Orders 10046, et al.**, provide that land under the jurisdiction of the Secretary of Agriculture under the provision of §32 of the *Bankhead Jones Farm Tenant Act* is transferred from the Department of Agriculture to the Department of the Interior for use, administration, or exchange under the applicable provisions of the Taylor Grazing Act.

**30 U.S.C. 355**, provides that all mineral leasing receipts derived from leases issued under the authority of the *Mineral Leasing Act for Acquired Lands of 1947* shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for

other receipts from the lands affected by the lease. The intention is that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands.

**Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)**, provides for the designation of a lead office and person trained in the management of undesirable plants; establishes and funds an undesirable plant management program; completes and implements cooperative agreements with State agencies; and establishes integrated management systems to control undesirable plant species.

**The Annual Department of the Interior and Related Agencies Appropriations Acts**, provide that a minimum amount is appropriated, that the appropriation shall remain available until expended, and that a maximum of \$600,000 is available from this appropriation for BLM administrative expenses.

Under the provisions of the **Balanced Budget and Emergency Deficit Control Act of 1985 and the Budget Enforcement Act of 1990**, this account is classified as a current, mandatory account.

**P.L. 107-63 Department of the Interior and Related Agencies Appropriation Act of 2002.**

## **AUTHORIZATIONS**

***The Federal Land Policy and Management Act of 1976, as amended, (43 U.S.C. 1751)***

Provides that 50 percent of grazing fees are authorized to be appropriated for range betterment. Half the appropriated amount is to be spent within the same BLM district which generated the grazing receipts; the remaining half may be utilized as the Secretary directs.

***The Mineral Leasing Act for Acquired Lands of 1947 (30 U.S.C. 355)***

Provides that "all receipts derived from leases issued under the authority of this chapter shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease, the intent of this provision being that this chapter shall not affect the distribution of receipts pursuant to legislation applicable to such lands . . ."

***The Taylor Grazing Act of 1934, as amended, (43 U.S.C. 315)***

Provides for active management of public rangelands including regulation of livestock grazing and improvement of the productive capability of the public range.

***The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901- 1905)***

Provides for improving the condition of the public rangelands and provides authorization for an appropriation of \$10,000,000 per annum or 50 per centum of all moneys received as fees for grazing, whichever is greater, notwithstanding the level of grazing fees collected.

***The Farm Tenant Act of 1937 (Bankhead Jones Act) (7 U.S.C. 1010, 1012-1013A)***

Provides for management of acquired farm tenant lands and construction and maintenance of range improvements.

***Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)***

Provides for the designation of a lead office and person trained in the management of undesirable plants; establish and fund an undesirable plant management program; complete and implement cooperative agreements with State agencies; and establish integrated management systems to control undesirable plant species; provides for the designation of a lead office and person trained in the management of undesirable plants; establish and fund an undesirable plant management program; complete and implement cooperative agreements with State agencies; and establish integrated management systems to control undesirable plant species.

***Executive Order No. 12548***

Provides for establishment of appropriate fees for the grazing of domestic livestock on public rangelands. It also provides that the fee shall not be less than \$1.35 per animal unit month.

## SUMMARY OF REQUIREMENTS (\$000)

Comparison by Activity/ Subactivity	2003 Actual		2004 Estimate		Uncontrollable & Related Changes (+/-)		Program Changes (+/-)		2005 Budget Request		Inc(+) Dec(-) from 2004	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Range Improvements</b>	<b>64</b>	<b>10,000</b>	<b>64</b>	<b>10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>64</b>	<b>10,000</b>	<b>0</b>	<b>0</b>
Public Lands Improvement	57	7,873	57	7,873	0	0	0	0	57	7,873	0	0
Farm Tenant Act Lands Improvement	7	1,527	7	1,527	0	0	0	0	7	1,527	0	0
Administrative Expenses	0	600	0	600	0	0	0	0	0	600	0	0

**Activity: Range Improvements****Subactivity: Range Improvements****ACTIVITY SUMMARY (\$000)**

Subactivity	2003 Actual Amount	2004 Estimate Amount	Uncontrollable & Related Changes  (+/-) Amount	Program Changes  (+/-) Amount	2005 Budget Request Amount	Inc(+) Dec(-) from 2004 Amount
Public Lands Improvement \$ FTE	7,873 57	7,873 57	0 0	0 0	7,873 57	0 0
Farm Tenant Act Lands Improvement \$ FTE	1,527 7	1,527 7	0 0	0 0	1,527 7	0 0
Administrative Expenses \$ FTE	600 0	600 0	0 0	0 0	600 0	0 0
Total Dollars \$ FTE	10,000 64	10,000 64	0 0	0 0	10,000 64	0 0

**PROGRAM OVERVIEW**

The 2005 budget request for the Rangeland Management program is \$10,000,000, the amount authorized under the Public Rangelands Improvement Act of 1978.

The Range Improvement program is funded from fees received for grazing livestock on public lands, as authorized by the Public Rangelands Improvement Act and the Federal Land Policy Management Act. The program includes all facets of managing range improvements on public lands, including project planning, engineering and design, construction, and project monitoring.

In 2005, the BLM will focus efforts on identified high priority watersheds to maximize the potential for overall improvement and protection of these watersheds. Improving the vegetation, habitat conditions, and health of public rangeland ecosystems will benefit livestock, fish and wildlife habitat, riparian values, watershed protection, and other resource values.

Range improvements include on-the-ground improvements such as vegetation projects, fencing projects, and wildlife-livestock water developments that have been recommended in activity plans. Projects are initiated within priority watersheds, riparian areas, and integrated weed management programs. Lands not meeting management objectives are given special emphasis.

The Bureau also modifies, removes, or makes additions to rangeland projects where resource conditions or new information indicates this is needed. The rangeland improvement policy encourages private parties and other beneficiaries to contribute funds or in-kind labor toward improving rangeland conditions and shifts project maintenance responsibilities to the benefiting user. The Bureau continues to be responsible for maintenance of land treatments and certain structural improvements such as reservoirs and water developments requiring specialized equipment.



*This livestock water gap range improvement project in Elko, Nevada is designed to enhance riparian areas, while providing access to free-standing water for livestock.*

The Range Improvements activity supports the Resource Use and Resource Protection mission goals from the Department's Strategic Plan by managing or influencing forage resources to enhance public benefit, promote responsible use, and ensure optimal value. A key intermediate outcome measure of performance includes increasing the percent of permitted acres maintained at appropriate land, water and air standards. Primary output measures of performance includes constructing and maintaining rangeland and forest ecosystem improvements.

In 2005, the BLM is shifting funds to the Wild Horse and Burro Management program from several other programs in the Management of Lands and Resources account, in order to address the urgent need to remove wild horses and burros from the public lands. Because funds will be shifted away from some programs, such as the Soil, Water, and Air Management; Riparian Management; and Wildlife Management program, projects that would have been funded through those programs may be funded from the Range Improvements program where appropriate.

## **2003 PROGRAM PERFORMANCE ACCOMPLISHMENTS**

In 2003, the Bureau again focused funding efforts on identified high priority watersheds to maximize the potential for overall improvement of these watersheds. Accomplishments in 2003 included:



*This cattleguard range improvement project in Midas, Nevada ensures thoroughfare for vehicular traffic, while retaining livestock on one side of the fence.*

Grassland/shrubland treatments:

- 43,350 acres treated.

Grassland/shrubland projects:

- 570 projects constructed.
- 275 projects maintained.

Riparian/wetland/stream projects:

- 50 projects constructed.
- 190 projects maintained.

Weeds:

- 17,900 acres inventoried.
- 3,450 acres treated.
- 100 acres evaluated.

## 2004 PROGRAM PERFORMANCE ESTIMATES

In 2004, the Bureau will continue to focus funding efforts on identified high priority watersheds to maximize the potential for overall improvement and protection of these watersheds. Project planning, engineering, design, and construction; and project monitoring will be the primary emphases to improving vegetation, habitat conditions, and health of public rangelands to benefit livestock, fish and wildlife habitat, riparian values, watershed protection, and other resource values.

### Use of Cost and Performance Information in the Rangeland Improvement Program

Performance and Cost Management Data are used by the Rangeland Improvement Program to provide important cost information between States.

The BLM used cost and performance information to compare similar projects in various states to identify and discuss noteworthy cost differences.

The BLM reviewed cost and performance information to determine the amount of and reasons for variations in performance between State Offices.

The BLM is updating the Rangeland Improvement Management System. The updated version, expected to launch in April 2004, will provide important performance information and comparison studies on cost information.

In 2004, the BLM plans to web-enable the existing Rangeland Improvement Project System, thereby making the system more accessible than the current system. This will improve data storage and reporting as well as project oversight and project management.



### JUSTIFICATION OF 2005 PROGRAM CHANGES

The 2005 budget request for the Rangeland Management program is \$10,000,000, the same as the 2004 level. This is the amount authorized by the Public Rangelands Improvement Act of 1978.

<b>RANGELAND IMPROVEMENTS PERFORMANCE SUMMARY</b>								
<b>DOI Strategic Goal: Resource Use</b>								
<b>End Outcome Goal: Manage or influence resource use to enhance public benefit, promote responsible use, and ensure optimal value -- forage.</b>								
<b>End Outcome Measures:</b>	2002 Actual	2003 Actual	2004 Planned: Budget Justifications	2004 Planned: Revised Final	2005 Planned	Change in Performance (2004 : 2005)	2008 Long Term Target	
Rangeland Improvements - Percent of acres with DOI range improvements resulting in sustainable grazing (SP: UEM.3.001)	Not Measured	Not Measured	7% 14.5M / 214M	7% 14.5M / 214M	7% 15.0M / 214M	0%	7% 16.5M / 214M	
Rangeland Condition - Percent of permitted acres maintained at appropriate land conditions and water and air standards (SP: UEM.3.002)	Not Measured	Not Measured	63% 135M / 214M	63% 135M / 214M	64% 137M / 214M	+1.0%	67% 143M / 214M	
<b>End Outcome Goal: Sustain biological communities on DOI managed and influenced lands and waters in a manner consistent with obligations regarding the allotment and use of water.</b>								
<b>End Outcome Measures:</b>	2002 Actual	2003 Actual	2004 Planned: Budget Justifications	2004 Planned: Revised Final	2005 Planned	Change in Performance (2004 : 2005)	2008 Long Term Target	
Invasive Species - Percent change from baseline in the number of acres infested with invasive plant species (SP: PEM.2.004)	Not Measured	Establish Baseline	Establish Initial Target	Establish Initial Target	Initial Target -0.5%	-0.5%	-2.0%	

<b>Primary Outputs funded by this subactivity:</b>	<b>2002 Actual</b>	<b>2003 Actual</b>	<b>2004 Planned: Budget Justifications</b>	<b>2004 Planned: Revised Final</b>	<b>2005 Planned</b>	<b>Change in Performance (2004 : 2005)</b>	<b>2008 Long Term Target</b>
Inventory for Presence of Invasive and/or Noxious weeds (acres).	12,800	17,900	0	0	0	0	0
Apply Shrub/Grassland Vegetation Treatments (acres).	52,000	43,350	50,000	50,000	50,000	0	50,000
Construct Shrub, Grassland, Woodland, Forest Projects (number).	515	570	400	400	400	0	500
Maintain Shrub, Grassland, Woodland, Forest Projects (number).	400	275	200	200	200	0	300
Apply Weed Treatments (acres).	4,000	3,450	4,000	4,000	4,000	0	4,000
Construct Lake/Wetland/Stream/Riparian Projects (number).	15	50	10	10	10	0	30
Maintain Lake/Wetland/Stream/Riparian Projects (number).	235	190	170	170	170	0	300
Evaluate Weed Treatments (acres).	1,000	100	0	0	0	0	0

## Budget Schedules

### Program and Financing (Million \$)

Identification code: 14-5132-0-1-302	2003 Actual	2004 Estimate	2005 Request
Obligations by program activity:			
00.01 Improvements to Public Lands	8	8	8
00.02 Farm Tenant Act Lands	1	2	2
00.03 Administrative Expenses	1	0	0
10.00 Total obligations	10	10	10
Budgetary resources available for obligation:			
21.40 Unobligated balance available, start of year	6	6	6
22.00 New budget authority (gross)	10	10	10
23.90 Total budgetary resources available for obligation	16	16	16
23.95 Total new obligations	-10	-10	-10
24.40 Unobligated balance carried forward, end of year	6	8	8
New budget authority (gross), detail:			
Mandatory:			
60.00 Appropriation	10	2	2
60.20 Appropriation [special fund]	0	8	8
62.50 Appropriation (total mandatory)	10	10	10
Change in obligated balance:			
72.40 Unpaid obligated balance, start of year	3	2	3
73.10 Total new obligations	10	10	10
73.20 Total outlays (gross)	-10	-10	-10
74.40 Obligated balance, end of year	2	3	3
Outlays (gross), detail:			
86.90 Outlays from new mandatory authority	7	7	7
86.93 Outlays from mandatory balances	3	3	3
87.00 Total outlays (gross)	10	10	10
Net budget authority and outlays:			
89.00 Budget authority	10	10	10
90.00 Outlays	10	10	10

**OBJECT CLASSIFICATION (MILLION \$)**

Identification code: 14-5132-0-1-302		2003 Actual	2004 Estimate	2005 Request
Personnel compensation:				
11.1	Full-time permanent	3	3	3
12.1	Civilian personnel benefits	1	1	1
21.0	Travel and transportation of persons	2	2	2
25.2	Other services	2	2	2
26.0	Supplies and materials	2	2	2
32.0	Lands and structures	2	2	2
99.99	Total obligations	10	10	10

**PERSONNEL SUMMARY**

Identification code: 14-5132-0-1-302		2003 Actual	2004 Enacted	2005 Request
Direct Program:				
Full-time equivalent employment		64	64	64